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Attorneys for Defendants Hire Order, LTD and
Global One Sales and Distribution Sportsman Eyewear, LLC.

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

OAKLEY, INC., a Washington corporation,

Plaintiff,

v.

HIRE ORDER, LTD., d/b/a HANDS-
FREEVIDEO.COM, a Virginia corpora-
tion, and GLOBAL ONE SALES AND
DISTRIBUTION SPORTSMAN EYE-
WEAR, LLC, a Pennsylvania company,

Defendants.

Case No. 12-cv-2346-DMS (WMC)

**NOTICE OF MOTION FOR PARTIAL
SUMMARY JUDGMENT FOR NON-
INFRINGEMENT**

Judge: Hon. Dana M. Sabraw
Hearing Date: March 29, 2013
Time: 1:30 p.m.
Courtroom: 13A – 13th Floor

TO THE CLERK OF THE COURT AND COUNSEL OF RECORD:

PLEASE TAKE NOTICE THAT Defendants Hire Order, Ltd., d/b/a HandsFreeVideo.com and Global One Sales and Distribution Sportsman Eyewear, LLC (collectively, “Defendants”) hereby move for Partial Summary Judgment of Non-Infringement and that said motion will be heard by the Honorable Dana M. Sabraw, United States District Court for the Southern District of California, Edward J. Schwartz U.S. Courthouse, 221 West Broadway, Courtroom 13A-13th Floor, San Diego, California 92101, on March 29, 2013, at 1:30 p.m.

1 Plaintiff Oakley, Inc. ("Oakley") accuses Defendants of infringement with respect to U.S. Pa-
2 tent No. D523,461 (the "'461 Patent"). Pursuant to *Fed. R. Civ. P.* 56, Defendants seek partial sum-
3 mary judgment of non-infringement as to the '461 Patent. Defendants do not make, use, offer to sell,
4 or sell any products accused of infringing the '461 Patent. Accordingly, there is no genuine issue of
5 material fact and Defendants are entitled to judgment of non-infringement as a matter of law.
6

7 Defendants rely on this Notice of Motion and Motion, the Memorandum of Points and Au-
8 thorities, the supporting Declaration of John K. Buche exhibits attached thereto, the records before
9 the Court in this matter; and any additional evidence or argument that may be presented to or at the
10 hearing.
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13 Respectfully Submitted,

14 Dated: December 27, 2012

15 /s/ John K. Buche

16 John K. Buche

17 BUCHE & ASSOCIATES, P.C.

18 *Attorneys for Defendants Hire Order, LTD., d/b/a*
19 *HandsFreeVideo.com and Global One Sales and*
20 *Distribution Sportsman Eyewear, LLC*
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